

John S. Davis

ACTS,

RESOLUTIONS AND MEMORIALS

PASSED BY THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH,

DURING THE

NINTH ANNUAL SESSION,

FOR THE YEARS 1859-60.

MOUNTAINEER'S OFFICE
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GREAT SALT LAKE CITY:

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ACTS, RESOLUTIONS AND MEMORIALS

PASSED BY THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH,

DURING THE

NINTH ANNUAL SESSION.

CHAPTER I.

An Act declaring certain things to be property, specifying the owner thereof, defining the mode for recovering its possession, and providing for redress of any grievances that may arise from proceedings under this act. Jan. 20, 1860.

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah,* That any person who has inclosed, or may hereafter inclose, a portion or portions of unclaimed government land, or caused it to be done at his expense, or has purchased, or may hereafter purchase, such inclosure; or erected, caused to be erected, or purchased any building or other improvement thereon, or may hereafter do so, is hereby declared to be the lawful owner of the claim to the possession of such inclosed land, and the lawful owner of the improvements thereon and thereunto appertaining; and he shall be so deemed and held in all legal proceedings, and in all rights and doings pertaining or relating to the aforesaid property.

Persons having enclosed or purchased government land, lawful owners.

SEC. 2. The owner of any property specified in the foregoing section, is hereby authorized, in order to recover possession thereof, to request, without process from any court or officer thereof, any constable, sheriff, or any deputy of either of said officers, to proceed forthwith to remove any person, and his effects, who has unlawful or forcible possession of said property; or to

May recover possession without process.

What officer may act.

For what cause—remove any tenant thereon or therein, when said tenant fails or refuses to fulfil any of the terms of his contract with its owner, or when the lease of said tenant has expired, or when said tenant is wasting or otherwise damaging the aforesaid property, or when said tenant has underlet said property or any part thereof, contrary to contract or against the expressed wish of the owner, or when said tenant shall use said property or any part thereof, for any unlawful or disorderly purpose, or purpose not specified in the contract; and the aforesaid constable or sheriff, or a deputy of either, is hereby required and empowered to take at least two persons with him, and to at once proceed and use such course and resources as shall be requisite to remove the aforesaid person, and his effects, in unlawful or forcible possession; or to remove any tenant and his effects when in possession as hereinbefore specified, and place the owner in full and peaceable possession of his property. Any sheriff or other officer refusing to discharge the duties as required in this section, shall, on conviction thereof, be fined not exceeding one hundred dollars.

Officer refusing to do duty to be fined.

If any person be aggrieved, he may appeal to court.

SEC. 3. Should any person, in unlawful or violent possession of property as aforesaid, or any tenant, deem himself aggrieved or damaged by the action under this act, of any owner of property, or of any constable, sheriff, or deputy of either, any court having jurisdiction is hereby required and empowered to hear and adjudicate the complaint of the aforesaid person or tenant.

Approved Jan. 20, 1860.

CHAPTER II.

Jan. 20, 1860. *An Act regulating the manufacture, sale, or other disposal of Intoxicating Liquors.*

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah,* That on and after the first Monday of March, eighteen hundred and sixty, no person shall be permitted to manufacture for sale, or be allowed to sell, barter or otherwise dispose of, any spirituous, vinous, or malt liquors, without first obtaining license therefor, as hereinafter provided, except the proprietors of the Hot Spring Brewery in Utah

After first Monday of March not to make, sell, &c., without license.

Exceptions.

County, and those breweries which are now established at Fairfield near Camp Floyd, in Cedar County, who shall be entitled to manufacture and sell at their respective establishments ale and beer, upon the payment by them for a license, not exceeding three hundred dollars each, per annum, as shall be determined by their respective county courts.

SEC. 2. The county courts in their respective counties are hereby authorized to grant licences, as contemplated in the first section of this act, *Provided always*, That said courts shall be fully satisfied that the applicant or applicants are of good moral character, safe and proper persons to be entrusted with the aforesaid business, and that it is expedient for the public good to grant such licenses.

How licenses
are to issue.

To whom.

SEC. 3. Said county courts shall fix the price of any and every such license by them granted, and shall require payment for the same invariably in advance: upon the applicants presenting the county treasurer's receipt for the sum required by the court for such license, the said court may issue or cause to be issued the desired license, for any term not exceeding one year.

Price of license
fixed by county
court.

Pay for license
in advance.

SEC. 4. The place where any liquors named in the first section of this act are intended to be manufactured, sold, bartered or otherwise disposed of, shall be named or described in the license; which license shall also state the kind or kinds of liquors to be manufactured, sold, bartered or disposed of; and said county courts may annul any such license at pleasure for a violation of this act, or the terms of the license, or whenever they shall deem the public good requires it.

Place named in
license.

County courts
may annul.

SEC. 5. No such license shall be transferable, unless sanctioned by the county court, and the said county courts shall cause to be endorsed on the back of every such license granted by them these words, "not transferable, unless sanctioned by the county court," which shall be officially signed by the clerk.

License not
transferable, un-
less sanctioned
by county court.

SEC. 6. If any person shall violate the provisions of any of the preceding sections of this act, he shall forfeit and pay for the use of the county wherein such violation shall have been committed, upon complaint of any citizen of the county, before any justice of the peace having jurisdiction, any sum not exceeding one hundred dollars for each and every such violation, to be recovered as an action of debt.

Penalty for vi-
olation.

Fine for selling
on Sunday.

SEC. 7. If any person shall barter, sell or dispose of any intoxicating liquors on the day of the week commonly called Sunday, he shall forfeit and pay for the use of the county wherein such offence shall have been committed, any sum not exceeding twenty dollars for each offence, upon complaint of any citizen thereof, to be recovered as provided for in the sixth section of this act.

Fine how re-
covered.

Not interfere
with municipal
rights.

SEC. 8. No provision of this act shall be so construed as to interfere in any way with the rights of the municipal authorities of incorporated towns and cities.

Repealing
clause.

SEC. 9. "An ordinance regulating the manufacturing and vending of ardent spirits," approved February 12th, 1851, is hereby repealed.

Approved January 20, 1860.

CHAPTER III.

Jan. 23, 1860.

An Act in relation to the Penitentiary.

Change of title.

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah*, That the office termed "Inspectors of Penitentiary," created by "an act in relation to the Penitentiary," approved Jan. 16, 1855, shall hereafter be styled, "Board of Directors of the Utah Penitentiary."

Three direc-
tors.

SEC. 2. The Penitentiary shall be under the control of a board of three directors, who shall be elected by the joint vote of the Legislative Assembly, and whose term of office shall be one year, and until their successors are elected and qualified. Said directors shall, before entering upon the duties of their office, qualify, by giving bonds with security to the people of the Territory of Utah, in the penal sum of one thousand dollars each, conditioned for the faithful performance of the duties of their office, to be approved by, and filed with, the auditor of public accounts; and the same may be increased, when in the auditor's judgment the public good requires it.

If so elected.

Shall qualify.

Bonds how
pled.

Warden elected
annually.

SEC. 3. There shall be elected annually, by the joint vote of the Legislative Assembly, a warden, whose term of office shall be one year, and until his successor shall be elected and qualified: said warden shall qualify, by taking and subscribing an oath to faithfully per-

Warden to qua-
lify.

form the duties of his office according to law, and give bonds in the penal sum of ten thousand dollars, in the same manner as prescribed for the directors in section second of this act.

Bonds \$10,000.

SEC. 4. The directors shall appoint one of their number president of the board, a majority of whom shall form a quorum for business; they shall appoint a clerk, overseers, guards, and all other necessary officers for the Penitentiary, not otherwise provided for; and all persons so appointed may be required by the directors to give bonds, with security, to the people of the Territory of Utah, which bonds shall be approved by, and filed with, the auditor of public accounts.

A president of the board.

Officers, how appointed.

Shall qualify.

SEC. 5. It shall be the duty of the directors to visit the Penitentiary as often as they may deem it necessary, to examine and inquire into all matters connected with the government and discipline thereof; and to give necessary directions to the warden relative to all matters pertaining thereto; and may require the convicts, who may hereafter be convicted, to labor outside the wall, on any public or private works; and when thus employed, cause that they be well secured and properly guarded.

Duties of directors.

Require convicts to work outside the Penitentiary.

SEC. 6. The directors shall at all times have free access to all parts of the Penitentiary, and may inspect all books, papers, documents, communications and correspondence pertaining thereto.

SEC. 7. The directors shall annually report to the Legislative Assembly, during the first week of its session, the condition of the Penitentiary, the number of convicts, their condition; also for what and how long they were sentenced, specifying how many are territorial, the fiscal affairs, and all the avails arising from the labor of convicts, and an approximate estimate of the means necessary to defray expenses for the ensuing year.

Directors to report annually.

SEC. 8. The warden shall receive and keep all persons duly committed, and not allow them to hold conversation with any person, except in his, or the presence of some other officer in charge, and see that the sentence of each prisoner is properly executed, and that they be diligently employed at the labor assigned them.

Duty of warden.

SEC. 9. In case any convict or convicts shall offer any violence or resistance to any officer in charge, or do violence to any other convict, attempt to do injury

If convict offer violence.

to the buildings or appurtenances thereunto belonging; attempt to escape, resist or disobey any lawful commands, the officers shall defend themselves, enforce the observance of discipline necessary to secure the persons of offenders, and prevent any such aggression, or escape of any prisoner; and may punish them at discretion for their misconduct in such manner as shall be prescribed by the board of directors.

Convict to receive money. SEC. 10. Whenever any convict shall be legally discharged, the warden may, by the consent of the directors, furnish for said convict clothing, not exceeding in value fifty dollars, and money, not exceeding thirty dollars, as may by the directors be deemed proper and consistent with the emergency of the case.

No letters, &c., to convicts. SEC. 11. No person shall communicate or deliver to any prisoner any writing, message or package, without the inspection and approval of the warden; and any person so offending, upon conviction thereof, shall be punished by imprisonment, not exceeding six months, or by fine, not exceeding one hundred dollars, recoverable before any court having jurisdiction.

Penalty.

Male and female kept separately. SEC. 12. Male and female prisoners shall not be kept in the same room, and females shall be under the supervision of a suitable matron.

If a prisoner escapes. SEC. 13. Whenever any prisoner escapes from custody, the warden shall use all due diligence for his apprehension, and for this purpose, may, under the instruction of the directors, offer a reward for his arrest and delivery to the warden of the Penitentiary.

Reward may be offered.

In case of casualties. SEC. 14. In case any contagious disease break out among the convicts, or in case of fire, or other casualty from which danger may be apprehended, the warden may remove the convicts to some safe and convenient place, there to remain in his charge until said danger is past.

Respecting liquors. SEC. 15. No spirituous or fermented liquors shall be brought into the Penitentiary, for the use of any prisoner, unless prescribed for his health by a physician; in which case he shall specify in writing to the warden, the quantity and quality of the liquor to be furnished.

Powers of warden. SEC. 16. The warden shall have power to sue and be sued, defend and be defended, in his official capacity, in all courts of law and equity; to direct all persons employed as overseers, guards, assistants, and all minor officers, and by the consent of the directors, to

appoint a deputy, for whose official acts he is responsible.

SEC. 17. The clerk shall be clerk for the warden and directors, and shall record all precepts by which persons are committed, and keep a register of each convict, his name, age, place of birth, particularly describing his person and former occupation, and shall record the time for which he was sentenced, and all contracts and business matters deemed essential by the directors.

Duties of clerk.

SEC. 18. Whenever an attempt is made, or about to be made, to release any convict belonging to the Penitentiary, or to commit any unlawful act upon any person or premises thereunto appertaining, any officer thereof is authorized to summons a sufficient posse in the most summary manner, to repair forthwith to the place where such danger is apprehended, for the purpose of repelling such contemplated invasion. Any person refusing or neglecting to obey said summons, or any lawful commands of the officer in charge, shall, on conviction thereof, be imprisoned, not exceeding six months, or fined, not exceeding one hundred dollars, by any court having jurisdiction.

Attempt to release convict.

Posse may be summoned.

Person refusing to obey.

Penalty.

SEC. 19. The auditor of public accounts, is hereby authorized to issue warrants on the territorial treasury for the relief of the warden, his deputy, or other persons employed in Penitentiary service; also for tools, clothing, furniture, and all other necessary supplies to the amount which may be ordered by the directors, payable out of any money in the treasury appropriated for Penitentiary purposes: *Provided*, That nothing herein shall be so construed as to justify issuing warrants for official services of the directors.

Auditor to issue warrants for pay of warden, officers, &c.

SEC. 20. All laws and parts of laws conflicting with this act, are hereby repealed.

Repealing clause.

Approved, January 20, 1860.

CHAPTER IV.

An Act incorporating Great Salt Lake City.

Jan. 20, 1860.

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah*, That all that district of country embraced in the following boundaries, to wit,—beginning at a point one hundred and thirty-six

Boundaries.

rods north of the Hot Spring; thence, west to the west bank of the Jordan river; thence up the west bank thereof to a point directly west from the south-west corner of the five acre lots, according to the present survey; thence east, along the south line of said lots, to the south-east corner thereof; thence east nine hundred rods; thence north to a point directly east of the beginning; thence west to the aforesaid place of beginning—shall be known and designated by the name and style of Great Salt Lake City; and the inhabitants thereof are hereby constituted a body corporate and politic, by the name and style aforesaid, with perpetual succession, and shall have and use a common seal, which they may change and alter at pleasure.

Corporation.

Powers of the corporation.

SEC. 2. The inhabitants of said city, by the name and style aforesaid, shall have power to sue and be sued; to plead and be impleaded; defend and be defended in all courts of law and equity, and in all actions whatsoever; to purchase, receive, hold, sell, lease, convey, and dispose of property real and personal, for the benefit of said city, both within and without its corporate boundaries; to improve and protect such property, and do all other things in relation thereto as natural persons.

Five wards.

SEC. 3. Said city shall be divided into five municipal wards, whose boundaries shall be as prescribed by city ordinance.

Five aldermen.

SEC. 4. The municipal government of said city is hereby vested in a city council, to be composed of a mayor, five aldermen, one from each ward, and nine councillors, who shall have the qualifications of electors in said city, and shall be chosen by the qualified voters thereof, and shall hold their offices for two years, and until their successors are elected and qualified.

Nine councillors.

How chosen.

Election.

SEC. 5. An election shall be held on the second Monday of February next, and every two years thereafter on said day, at which there shall be elected one mayor, five aldermen, nine councillors, one marshal, one treasurer, and one recorder; and the persons respectively receiving the highest number of votes, cast in the city for said offices, shall be declared elected. When two or more candidates for an elective office shall have an equal number of votes for the same office, the election shall be determined by the city council.

When the occur.

SEC. 6. The first election under this act shall be conducted in the following manner, to wit:—The county clerk of Great Salt Lake County, shall cause notice of the time and place, and the number and kind of officers to be chosen, to be advertised in some newspaper of said city, or posted up in five public places therein, at least ten days previous to said election. Three judges shall be selected by the probate judge of Great Salt Lake County, at least one week previous to the day of election; said judges shall choose two clerks, and the judges and clerks, before entering upon their duties, shall take and subscribe an oath or affirmation for the faithful discharge thereof. At the first election so held, the polls shall be opened at eight o'clock, a.m., and shall close at six o'clock, p.m. At the close of the election the judges shall seal up the ballot box, and the list of the names of the electors, and transmit the same within two days to the county clerk of Great Salt Lake County. As soon as the returns are received, the county clerk, in the presence of the probate judge, shall unseal and examine them, and furnish within five days, to each person having the highest number of votes, a certificate of his election.

Election, how conducted.

Ten days' notice.

Three judges.

Two clerks. Shall qualify.

Polls open from 8 to 6.

SEC. 7. The manner of conducting and voting at all subsequent elections to be held under this act, and contesting the same; the keeping of the poll lists, canvassing the votes, and certifying the returns, and all other things relating thereto, shall be as provided by city ordinance.

SEC. 8. There shall be appointed an assessor and collector, an auditor of public accounts, a supervisor of streets, a surveyor, an attorney, a board of school inspectors, a sealer of weights and measures, a sexton or keeper of burial grounds, a chief of police, inspectors, measurers and weighers, and such other officers and agents as the city council may from time to time direct and appoint.

City officers.

SEC. 9. Every person elected or appointed to any office under the provisions of this act may be removed from such office by a vote of two-thirds of the city council, and no officer shall be removed except for cause, nor unless furnished with the charges and have an opportunity of being heard in his defence; and the council shall have power to compel the attendance of witnesses, and the production of papers when necessary

Officers may be removed.

for the purpose of such trial, and shall proceed, within ten days to hear and determine upon the merits of the case, and if such officer shall neglect to appear and answer to such charges, then the council may declare the office vacant. All officers appointed by the council may be removed at any time by vote, at discretion of two-thirds of said council, and any officer may be suspended until the disposition of charges preferred against him.

Vacancy, how filled.

SEC. 10. Whenever any vacancy shall happen by the death, resignation, or removal of any officer, such vacancy may be filled by the city council, and every person elected or appointed to an elective, judicial or administrative office, shall, before he enters upon the duties thereof, take and subscribe an oath or affirmation, that he will support the Constitution of the United States, the laws of this Territory, and the ordinances of this city, and that he will well and truly perform all the duties of his office to the best of his knowledge and ability, and file the same, duly certified by the officer before whom it was taken, with the city recorder.

Shall qualify.

Illegal voting.

SEC. 11. Any person or persons illegally voting at any election under this act, shall be punishable according to law regulating general elections.

Oath of mayor.

SEC. 12. The mayor shall, before he enters upon the duties of his office, in addition to the usual oath, swear or affirm that he will devote so much of his time to the duties of his office as an efficient and faithful discharge thereof may require; and shall from time to time give the council such information, and recommend such measures as he may deem advantageous to the city.

Duties of mayor and aldermen.

SEC. 13. The mayor and aldermen shall be conservators of the peace within the limits of the city, and shall give bonds and qualify as other justices of the peace; and when so qualified, shall possess the same power and jurisdiction both in civil and criminal cases arising under the laws of the Territory, and may be commissioned as justices of the peace in and for said city by the Governor; they shall account for and pay over to the city treasurer, within three months, all fines and forfeitures received by them in their judicial capacity; and they shall each keep a docket, subject at all times to the inspection of the city council and all other parties interested.

SEC. 14. The mayor and aldermen shall have exclusive jurisdiction in all cases arising under the ordinances of the city, and issue such process as may be necessary to carry such ordinances into execution and effect.

SEC. 15. It shall be the duty of the recorder to make ^{Duties of recorder.} and keep accurate records of all ordinances made by the city council and all their proceedings in a corporate capacity; which record shall at all times be open to the inspection of the electors of the city and all other parties interested. He shall have and keep a plat of all surveys within the city, and record all deeds, transfers, or other instruments of writing that may be presented to him for that purpose, and he is hereby authorized to take the acknowledgement of deeds, transfers and other instruments of writing, and shall perform such other duties as may be required of him by city ordinance.

SEC. 16. The marshal shall perform such duties as ^{Duties of marshal.} shall be prescribed by the city council, for the preservation of the public peace. All process issued by the mayor, or an alderman, shall be directed to the marshal, or his deputy, and in the execution thereof he shall be governed by such rules and regulations as may be provided by city ordinance, and shall be the principal ministerial officer.

SEC. 17. The treasurer shall receive all moneys belonging to the city, and shall keep an accurate account of all receipts and expenditures in such manner as the city council shall direct. He shall pay all moneys that may come to his hand by virtue of his office upon orders signed by the auditor of public accounts, and shall report to the city council a true account of his receipts and disbursements as they may require. ^{Duties of treasurer.}

SEC. 18. The city council, a majority of whom shall form a quorum to transact business, shall meet at such times and places as they may direct, and the mayor, when present, shall preside at said meetings, and have a casting vote. In the absence of the mayor any alderman present may be appointed to preside in such manner as shall be provided by the city council. ^{Duties of city council.}

SEC. 19. The city council shall hold ^{Hold stated meetings.} stated meetings, and the mayor or any two aldermen may call special meetings, by notice to each of the members of said council, served personally or left at their usual place

of abode. Said council shall determine the rules of its own proceedings, and be the judge of the election and qualification of its own members.

Manage finan-
ces, &c.

SEC. 20. The city council shall have the management and control of the finances and property, real, personal, and mixed, belonging to the corporation.

Prohibit gam-
bling, &c.

SEC. 21. The city council is hereby empowered within the jurisdiction of the city, by ordinance and the enforcement thereof, to prevent, punish, or prohibit every kind of fraudulent device and practice, all descriptions of gaming, playing at dice, cards, or other games of chance, with or without betting.

SEC. 22. To license, tax, regulate, suppress, or prohibit billiard tables, pin alleys, nine or ten pin alleys, or tables and ball alleys; to suppress, or restrain bawdy and other disorderly houses, and groceries; to authorize the destruction and demolition of all instruments and devices used for the purpose of gaming; to prevent any riot, noise, disturbance, or disorderly assemblage; and to restrain and punish vagrants, mendicants, street beggars, and prostitutes.

Ardent spirits,
&c.

SEC. 23. To regulate the selling or giving away of any ardent spirits or other intoxicating liquors by any storekeeper, grocer or trader, to be drank in any shop, store, grocery, outhouse, yard, garden, or other place within the city, except by persons, or at places duly licensed; to forbid the selling or giving away of ardent spirits or other intoxicating liquors to any child, apprentice or servant, without the consent of his or her parent, guardian, master or mistress, or to any Indian.

SEC. 24. To license, regulate, or restrain the manufacturers, sellers or venders of spirituous and fermented liquors, tavern keepers, dram or tippling shop keepers, grocers, and keepers of ordinaries, boarding, victualing or coffee houses, restaurants, saloons, or other houses or places for the selling or giving away of wines or other liquors, whether ardent, vinous or fermented.

Regulate enter-
tainments.

SEC. 25. To regulate, license, suppress or prohibit all exhibitions of common showmen, shows of every kind, concerts or other musical entertainments, exhibitions of natural or artificial curiosities, caravans, circuses, theatrical performances, and all other exhibitions and amusements.

SEC. 26. To prevent or regulate the rolling of hoops,

playing at ball, flying of kites, or any other amusement or practice having a tendency to annoy persons passing in the streets, or on the side-walks, or to frighten teams or horses.

Frightening teams.

SEC. 27. To prevent horse-racing, immoderate riding or driving in the streets, and to authorize their being stopped by any person; to punish or prohibit the abuse of animals; to compel persons to put up posts in front of their lots to fasten their horses or other animals; to compel the fastening of horses, mules, oxen, or other animals attached to vehicles while standing or remaining in the street.

Horse racing.

Abuse of animals.
Securing animals.

SEC. 28. To prevent the encumbering of the streets or side-walks, lanes, alleys and public grounds with carriages, tents, waggon, carts, sleighs, horses or other animals, sleds, wheelbarrows, boxes, lumber, timber, firewood, posts, awnings, signs, adobies, or any material or substance whatever.

Encumbering streets, &c.

SEC. 29. To restrain, regulate or prohibit the running at large of cattle, horses, mules, sheep, swine, goats, and all kinds of poultry; and to authorize the distraining, impounding, or sale of the same, for the penalty and costs incurred thereby; and to impose penalties for any violation of city ordinance in relation thereto, and to tax, prevent, or regulate the keeping of dogs, and to authorize the destruction of the same when at large, contrary to city ordinance.

Animals running at large.

Dogs.

SEC. 30. To compel the owner or occupant of any grocery, cellar, tallow-chandler shop, soap-factory, tannery, stable, barn, privy, sewer or any unwholesome place, to cleanse, remove or abate the same from time to time, as often as may be necessary for the health, comfort and convenience of the inhabitants of said city.

Nuisances.

SEC. 31. To direct the location and management of, and regulate, breweries, tanneries, and to direct the location, management and construction of, and restrain or prohibit within the city, distilleries, slaughtering establishments, establishments for steaming and rendering lard, oil, tallow, offal and such other substances as can or may be rendered; and all establishments or places where nauseous, offensive or unwholesome business may be carried on.

SEC. 32. To direct or prohibit the location and management of houses for the storing of gunpowder, tar,

Combustible matter.

pitch, rosin or other combustible and dangerous materials within the city, and to regulate the keeping and conveying of gunpowder, and the use of candles and lights in barns, stables or outhouses.

Side walks.

SEC. 33. To compel persons to keep the snow and ice from the side-walk in front of the premises owned or occupied by them on East Temple Street, from the Temple Block south to the intersection with Second South Street.

Nuisances.

SEC. 34. To abate or remove nuisances, and punish the authors thereof by penalties of fine and imprisonment, and to define and declare what are nuisances, and authorize and direct the summary abatement thereof, and to abate all nuisances which are or may be injurious to the public health, peace, or good order.

Dead carcases,
&c.

SEC. 35. To prevent any person from bringing, depositing, or having within the limits of the city, any dead carcass or any unwholesome substance, and to require the removal or destruction of the same by any person who shall have placed or caused to be placed upon or near his premises, or near any of the streams of this city, any such substances, or any putrid or unsound beef, pork, or fish, hides or skins of any kind. and on his default, to authorize the removal or destruction by any officer of said city.

Clear and control streets.

SEC. 36. To exclusively control, regulate, repair, amend and clear the streets, alleys, bridges, side-walks or cross-walks, and open, widen, straighten, or vacate streets and alleys, and put drains or ditches and sewers therein; and prevent the encumbering of the streets in any manner, and protect the same from any encroachment and injury.

Public grounds.

SEC. 37. To lay out, improve, and regulate the public grounds belonging to the city, to direct and regulate the planting and preserving trees in the streets and public grounds, and to regulate the fencing of lots within the bounds of the city.

Prevent noises.

SEC. 38. To prevent the ringing of bells, blowing of horns and bugles, crying of goods, and all other noises, performances and devices tending to the collection of persons on the streets or side-walks by auctioneers and others, for the purpose of business, amusement or otherwise.

Places of bathing,
&c.

SEC. 39. To regulate and determine the times and places of bathing and swimming in the river or other

waters in and adjoining said city, and to prevent any obscene or indecent exhibition; exposure or conduct.

SEC. 40. To make regulations to prevent the introduction of contagious diseases into the city; to make quarantine laws and enforce the same within the city and around it, not exceeding twelve miles next beyond the bounds thereof. Contagious diseases.

SEC. 41. To grant and issue licenses, and direct the manner of issuing and registering thereof, and the fees to be paid therefor. Bonds may be taken on the granting of licenses for the due observance of the ordinance or regulations of the city council. Licenses. Bonds.

SEC. 42. To license, tax and regulate merchants and retailers, auctioneers, distillers, brewers, brokers, pawn-brokers and money changers; and to impose duties upon the sale of goods at auction. Licenses to merchants.

SEC. 43. To license, tax, regulate or suppress hawkers and pedlers. Pedlers.

SEC. 44. To regulate and license or prohibit butchers, and to revoke their licenses for malconduct in the course of trade; and to regulate, license and restrain the sale of fresh meat and vegetables in the city, and restrain and punish the forestalling of poultry, fruit and eggs. Butchers.

SEC. 45. To establish and regulate markets and other public buildings, and provide for their erection, determine their location, and authorize their erection in the streets, avenues, or any other public place or places in the city, and not exceeding four miles beyond the bounds thereof. Markets.

SEC. 46. To provide for taking the enumeration of the inhabitants of the city, to regulate the burial of the dead, and registration of births and deaths; to direct the returning and keeping of bills of mortality, and to impose penalties on physicians, sextons and others for any default in the premises. Enumeration of inhabitants.

SEC. 47. To appoint watchmen and policemen, and prescribe their duties and powers. Police, &c.

SEC. 48. To regulate the measuring and inspection of lumber, shingles, timber, posts, staves and heading, and all building materials, and all kinds of mechanical work, and appoint one or more inspectors therefor. Inspecting lumber, &c.

SEC. 49. To regulate the weighing and place and manner of selling hay.

SEC. 50. To regulate the inspection of tobacco, also

- Inspection of provisions. of flour, meal, pork, beef and other provisions, and salt, to be sold in barrels, hogsheads and other packages.
- Wood and coal. SEC. 51. To regulate the measuring of wood and the weighing of coal, and the place and manner of selling the same.
- Liquors. SEC. 52. To regulate the inspection of whisky and other liquors to be sold in barrels, hogsheads or other vessels.
- To appoint inspectors, weighers, &c. SEC. 53. To appoint inspectors, weighers and guagers, and regulate their duties and prescribe their fees.
- Weights and measures to be sealed. SEC. 54. To require every merchant, retailer, trader and dealer in merchandize or property of any description, which is sold by measure or weight, to cause their weights and measures to be sealed by the city sealer and to be subject to his inspection; the standard of which weights and measures shall be conformable to those established by law.
- Regulate waters, &c. SEC. 55. To establish, make and regulate public pumps, wells, cisterns, hydrants and reservoirs to distribute, control, and so regulate the waters flowing into the city, throughout such channels as may be most advantageous, and to prevent the unnecessary waste of water.
- Street lamps. SEC. 56. To erect street lamps and regulate the lighting thereof; and from time to time create, alter and extend lamp districts.
- Public pounds. SEC. 57. To establish and regulate public pounds.
- Ferries. SEC. 58. To regulate and license ferries.
- Vagrant children. SEC. 59. To authorize the taking up, and providing for the safe keeping and education, for such periods of time as may be expedient, of all children who are destitute of all proper parental care, wandering about the streets, committing mischief, and growing up in mendicancy, ignorance, idleness and vice.
- To borrow money. SEC. 60. To borrow money on the credit of the city: *Provided*, That the interest on the aggregate of all the sums borrowed and outstanding, shall not exceed one-fourth of the city revenue, arising from taxes assessed within the corporation during the preceding year.
- City council to make, amend, repeal and enforce city ordinances. SEC. 61. The city council shall have power to make, publish, ordain, amend, and repeal all such ordinances, bye laws, or police regulations, not contrary to the Constitution of the United States and the laws of this Territory, for the good government and order of the city, as may be necessary and expedient to carry into

effect the powers vested in the city council, or any officer of said city by this act; and enforce observance of all rules, ordinances, resolutions, bye laws and police, and other regulations, made in pursuance of this act, by penalties not exceeding one hundred dollars for any offence against the same. Penalty \$100 or less.

SEC. 62. The city council shall have power within the city, by ordinance, to annually levy and collect taxes on the assessed value of all real and personal estate or property in the city made taxable by the laws of the Territory, for the following named purposes, to wit—Not to exceed five mills on the dollar to defray the contingent expences of the city. Not to exceed five mills on the dollar to open, improve and keep in repair the streets of the city. Not to exceed one and a quarter mills on the dollar to control the waters of said city; and they shall annually apportion and apply said taxes as shall in their judgment be deemed most expedient. Collect taxes,
5 ml 1/4 for con-
tingents.
5 mills 1 for
streets.
1 1-4 mills to
control water.

SEC. 63. When the city council shall deem it expedient for any especial purpose to borrow money, the interest on which shall not exceed one fourth of the city revenue arising from taxes of the preceding year, the amount of taxes shall not be increased. Borrow money.

SEC. 64. To require, and it is hereby made the duty of every male resident of the city, over the age of eighteen and under the age of fifty years, to labor one day in each year upon the streets; but every person may at his option pay one dollar and fifty cents for the day he shall be so bound to labor; *Provided*, It be paid within five days from the time he shall be notified by the street supervisor. In default of payment as aforesaid, the same may be collected as other taxes. Persons over 18
and under 50 to
work one day on
streets, or pay
\$1 50.
How collected.

SEC. 65. The city council shall have power by ordinance to regulate the form of assessment rolls, and prescribe the duties and define the powers of assessors and collectors. The annual assessment rolls shall be returned by the assessor on or before the first Monday of April in each year; but the time may be extended or additions made thereto by order of the city council. On the return thereof the city council shall fix a day for hearing objections thereto, and any person feeling aggrieved by the assessment of his property may appear at the time specified and make his objections, which shall be heard and determined upon by the city council, To prescribe du-
ties of assessors.
Objections how
heard and deter-
mined.

and they shall have power to alter, add to, take from and otherwise correct and revise said assessment roll.

Tax collected
by suit.

SEC. 66. The collector shall be furnished within thirty days after the assessment rolls are corrected, with a list of the taxes to be collected, and if not paid, the collector shall have power to collect said taxes with interest and cost by suit in the corporate name, or by distress and sale of any property belonging to persons so indebted. The assessor's roll shall in all cases be evidence on the part of the corporation.

Tax, how col-
lected.

SEC. 67. All taxes and assessments, general and special, shall be collected by the collector or collectors in the same manner, and with the same power and authority as are given by the law to collectors of county and territorial taxes: *Provided* the council shall have power to prescribe by city ordinance the powers, duties and liabilities of assessors and collectors.

Proviso.

For extinguish-
ment of fires, &c.

SEC. 68. The city council shall have power to make, ordain and establish all such general regulations for the prevention and extinguishment of fires, fixing of chimneys, flues and stove pipes, as they may deem expedient, to procure fire engines and other apparatus used for the extinguishment of the same, and have the charge and control of, and provide, fit up, and secure engine houses and other places for the keeping and preserving the same; to organize fire, hose and ladder companies, appoint foremen therefor and prescribe their duties, and make rules and regulations for their government, and to impose reasonable fines and forfeitures for a violation of the same.

Engine houses,
&c.

Firemen.

Trustees,
School inspec-
tors.

SEC. 69. The city council shall have power to provide for the election of trustees; to appoint a board of school inspectors, and to prescribe the powers and duties of the same, and to enact such ordinances as may be necessary to carry their duties and powers into effect.

Police.

Penalties, and
how recovered.

SEC. 70. The city council shall have exclusive authority and power to establish and regulate the police of the city, to impose fines, forfeitures and penalties for the breach of any ordinance; to provide for the recovery of such fines and forfeitures and the enforcement of such penalties, and to pass, make, ordain, establish and execute all such ordinances, not repugnant to the Constitution of the United States or the laws of this Territory, as they may deem necessary, for carry-

ing into effect and execution the powers specified in this act, and for the peace, good order, regulation, convenience, and cleanliness of the city, for the protection of property therein from destruction by fire or otherwise, and for the health, safety and happiness of the inhabitants thereof.

SEC. 71. All ordinances passed by the city council shall, within one month after they shall have been passed, be published in some newspaper printed in said city, or certified copies thereof be posted up in three of the most public places in the city. Ordinances to be published.

SEC. 72. All ordinances of the city may be proven by the seal of the corporation, and when printed or published in book form, purporting to be printed or published by the authority of the city council, the same shall be received in evidence in all courts or places without further proof. Ordinances, how proven.

SEC. 73. The city council shall have power from time to time, to require further and other duties of all officers whose duties are herein provided; and prescribe the duties and powers of all officers appointed or elected under this act, whose duties herein are not specifically mentioned, and arrange the fees and fix the compensation of all officers, jurors, witnesses and others. They may also require bonds to be given to Great Salt Lake City by all officers for the faithful performance of their duties. To prescribe duties of officers.
Fix fees of jurors, witnesses, &c.
May require bonds.

SEC. 74. All persons appointed under this act to the office of recorder, marshal, attorney, treasurer, collector, assessor, auditor of public accounts, surveyor, street commissioner, shall be commissioned by warrant under the corporate seal, signed by the mayor, or presiding officer of the city council, and recorder. Officers, how commissioned.

SEC. 75. If any person having been an officer in Great Salt Lake City shall not, within ten days after notification and request, deliver to his successor in office all the property, papers and effects of every description in his possession belonging to said city or appertaining to the office he held, he shall forfeit and pay for the use of the city not exceeding one hundred dollars, besides all damages caused by his neglect or refusal so to deliver. Papers, &c., to be turned over in 10 days to successor.
Forfeited.

SEC. 76. When it shall be necessary to take private property for opening, widening or altering any public street, lane, avenue or alley, the corporation shall When private property is taken for public use.

make a just compensation therefor to the person whose property is so taken; and if the amount of such compensation cannot be agreed upon, the mayor shall cause the same to be ascertained by a jury of six disinterested men who shall be inhabitants of the city.

Jury of six.

Jurors, how to proceed.

SEC. 77. All jurors empannelled to inquire into the amounts of benefit or damages that shall happen to the owners of property so proposed to be taken, shall first be sworn to that effect, and shall return to the mayor or presiding officer of the city council their inquest in writing, signed by each juror.

Cemetery lots exempt from execution.

SEC. 78. The cemetery lots which have or may hereafter be laid out, and sold by said city for private places of burial, shall with the appurtenances forever be exempt from execution or attachment.

Ordinances remain in force until repealed.

SEC. 79. All ordinances, resolutions and regulations now in force in Great Salt Lake City, and not inconsistent with this act, shall remain in force until altered, modified or repealed by the city council, after this act shall take effect.

Corporation may prosecute.

SEC. 80. All actions, rights, fines, penalties and forfeitures in suit or otherwise, which have accrued under the ordinance incorporating Great Salt Lake City, shall be vested in and prosecuted by the corporation hereby created.

Surveys deemed valid.

SEC. 81. All plots and surveys of lands, lots, or other places within said city heretofore surveyed by the surveyor, and all plots and surveys of lands, lots or other places that may be hereafter surveyed, and all certificates of surveys given by him, shall be deemed valid by this act.

City property vested in corporation.

SEC. 82. All property, real, personal or mixed, now belonging to Great Salt Lake City, is hereby vested in the corporation created by this act, and the officers of said corporation now in office shall respectively continue in the same until superseded in conformity to the provisions hereof; but shall be governed by this act, which shall be in force from and after its passage.

This act shall be evidence.

SEC. 83. This act shall be deemed a public act, and may be read in evidence without proof, and judicial notice shall be taken thereof in all courts and places.

SEC. 84. This act shall not invalidate any act done by the present city council of Great Salt Lake City, or by its officers; nor divest their successors under this act of any rights, property or otherwise, or liability

which may have accrued to or been created by said council prior to the passage of this act.

SEC. 85. All officers of the city, created conservators of the peace by this act, shall have power to arrest or cause to be arrested, with or without process, all persons who shall break the peace; commit for examination, and, if necessary, detain such persons in custody forty-eight hours in the city prison or other safe place; and shall have and exercise such other powers, as conservators of the peace, as the city council may prescribe. Officers empowered to arrest, commit, &c.

SEC. 86. Nothing in this act shall be so construed as to deprive the present city council of Great Salt Lake City of any power or authority conferred upon them by the ordinance incorporating said city, and the act amendatory thereto; but said city council shall possess, exercise and enjoy all the powers and authority heretofore conferred upon them, except so far as such powers and authority have been expressly modified or repealed by this act, until said city council are superseded by the election and qualification of their successors under this act.

SEC. 87. That "An ordinance to incorporate Great Salt Lake City," approved Jan. 19, 1851, be, and is hereby repealed; and "An act in relation to the assessment, collection, and expenditure of a tax for road and other purposes, within incorporated cities," approved Jan. 4, 1853, so far as the same applies to Great Salt Lake City, be and is hereby repealed. Repealed.

SEC. 88. The city council shall publish, in at least one newspaper published in Great Salt Lake City, a quarterly statement of the amount of city revenue, specifying in said statement from whence derived and for what disbursed. Quarterly statement to be published.

Approved January 20, 1860.

CHAPTER V.

An Act repealing certain acts and appropriating money to locate and open a road from Great Salt Lake City, to the Valley of the Weber. Jan. 20, 1860.

SEC. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That an act entitled "an act for the improvement of Big Canyon" Former act repealed.

Creek Road," approved February 16th, 1852; and also an act entitled "an act to incorporate Big Canyon Road Company," approved January 19, 1855, be, and the same are hereby repealed.

Commissioner
to locate route.

Report to Leg-
islative Assem-
bly.

Appropriation
of \$2000.

Warrants to
issue.

SEC. 2. The Territorial or State Road Commissioner is hereby authorized and required to locate a road on the most feasible route from Great Salt Lake City, by way of Big Canyon Creek, to the Valley of the Weber, on the most feasible route to Bridger, and to open the same by contracting with persons, to the best interests of the Territory, for the completion thereof by the first day of December next, and to report his doings, under this act, to the Legislative Assembly during the first week of its next annual session.

SEC. 3. The sum of two thousand dollars is hereby appropriated, out of any money in the Territorial Treasury, for the purposes specified in this act; and the auditor of public accounts shall issue his warrants upon the drafts of the Territorial or State Road Commissioner, to any amount not exceeding the sum herein appropriated.

Approved January 20, 1860.

CHAPTER VI.

Jan. 20, 1860.

An Act creating the office of County Superintendent of Common Schools, defining his duties; and further defining the duties of trustees and teachers; also, amending an act relating to common schools, approved December 30, 1854.

County Court
may appoint su-
perintendent.

Superintendent
elected at gener-
al election.

Shall qualify.

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah,* That the county court in each county in the Territory shall, at the ensuing March term of said court, appoint a county superintendent of common schools, who shall hold his office until the next general election: and at the said general election, and at every general election thereafter, each county shall elect a competent person to fill the office of county superintendent of common schools, who shall hold his office until his successor is elected and qualified.

SEC. 2. Said superintendent shall qualify by taking and subscribing an oath to faithfully perform the duties

of his office, and shall give bonds with security, to be approved by and filed with the probate judge of said county, the forfeiture of which shall go into the county treasury for the benefit of the common schools in the county.

SEC. 3. The duties of the county superintendent shall be, Duties of superintendent.

1st, To take the general supervision of schools in his county;

2nd, To visit officially, at least once in each year, the schools under his supervision, and see that the school trustees are diligent in the discharge of their duties; Visit schools.

3rd, To superintend in the manner and to the extent to be prescribed by the law, all business matters connected with the public school domain within his jurisdiction; Superintend business matters

4th, To keep a correct account with the county treasurer, and also with the trustees of school districts, of all funds received or disbursed for school purposes; Keep account.

5th, To audit all school accounts against the county treasury, and deliver his warrant for the payment thereof; Audit school accounts.

6th, To make an annual report to the territorial superintendent of common schools on or before the first Monday in November in each year, stating the particulars contained in the trustees' and teachers' reports. Make annual report.

SEC. 4. The trustees in each district in the Territory shall visit officially each school, in their respective districts, at least once during each term of sixty days; they shall annually, on or before the second Monday in October, take a census of the children between the ages of six and eighteen years, residing in their districts, and shall, within eight days thereafter, make a report to the county superintendent, stating the condition of the school or schools under their supervision, and shall state particularly the items contained in the following form: Duties of trustees.
Take census of children.
Make report.

Form of Trustee's report.

No. of Districts.	Annual Report of School District No.—, in the County of —, Territory of Utah, ending — 186 . FORM OF TRUSTEE'S REPORT. Trustees.
No. of Schools.	
Branches taught.	
No. of Men teachers.	
No. of Women teachers.	
No. of Boys in the district between the ages of 6 and 18 years.	
No. of Girls in the district between the ages of 6 and 18 years.	
No. of Boys enrolled.	
No. of Girls enrolled.	
Average daily attendance.	
Amount paid to Teachers.	
To Men.	
To Women.	
No. of months schools have been taught during the year.	
No. of School Libraries.	
No. of volumes in each.	
Present condition of School Buildings, &c.	
Amount of building funds raised.	
Amount of Public Funds appropriated to the use of Schools, and from whence derived.	
Remarks.	

Teachers to report.

SEC. 5. It is hereby made the duty of teachers of schools, to furnish their respective county superintendents with a quarterly report of the schools under their charge: said report shall be in the following form:

FORM OF SCHOOL TEACHER'S REPORT.

Quarterly Report of School No.—, District No.—, Territory of Utah, ending ———, 186 .
Teacher.

Form of Teacher's report.

PUPILS.		SCHOOL BOOKS USED.		CERTIFICATE AND REMARKS.	
NAMES		SCHOOL		BRANCHES TAUGHT.	
OF		BOOKS			
Age.					
Total number of Boys.					
Total number of Girls.					
Daily attendance.					
Average daily attendance.					
Alphabet.					
Spelling.					
Reading.					
Writing.					
Geography.					
Grammar.					
Arithmetic.					
Book-keeping.					
Algebra.					
Geometry.					
Astronomy.					
History.					
Languages.					
Music.					
Drawing.					
Painting.					

SEC. 6. The territorial superintendent of common schools shall annually cause to be printed a sufficient number of blanks, after the forms contained in the fourth and fifth sections of this act, and forward the same to the county superintendents for distribution to the trustees and teachers in their several counties; and the auditor of public accounts is authorized, on the order of the territorial superintendent, to issue warrants on the territorial treasurer, to defray the expense incurred in printing and distributing to the county superintendents, said blanks, payable out of any moneys in the treasury appropriated to school purposes.

SEC. 7. In the first section of an act relating to common schools, approved December 30, 1854, the word "November" is changed to "December;" and all the fourth section of said act, after the word "required," in the fifth line, and all of the fifth section of said act after the word "board" in the seventh line, are hereby repealed. The seventh section of said act is hereby amended by striking out all after the words "to the" in the sixth line, and inserting instead thereof the words "county superintendent." The county courts shall number the school districts in their respective counties; and the trustees of each district may be elected at any time by a call of the inhabitants, or on a notice therefor by the clerk of said district.

Approved Jan. 20, 1860.

CHAPTER VII.

Jan. 20, 1860. *An Act repealing certain Acts granting herd grounds, and authorizing the County Courts to remove herds from the immediate vicinity of Settlements.*

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah,* That all the acts having the following titles are hereby repealed, namely:—

Repealing clause. *Miles Weaver and others.* "An Act granting unto Miles Weaver and Frankling Weaver a herd ground in Utah County," approved January 19, 1855.

H. C. Kimball and others. "An Act granting to Heber C. Kimball, Jedediah M. Grant, Samuel Snyder, and their associates, the

right of ground for herding," approved January 19, 1855.

"An Act granting a ranche and herd ground unto Brigham Young, and Thos. Rhoades," approved December 18, 1855. B. Young and
Thomas Rhoades.

"An Act granting unto Brigham Young, Trustee in Trust for the Church of Jesus Christ of Latter-day Saints, Cache Valley for herding and other purposes," approved December 18, 1855. B. Young, trustee.

"An Act granting unto Brigham Young, Wilford Woodruff, Luke Johnson, James W. Cummings, Samuel Benion, William A. Hickman, Jesse C. Little, and Claudius V. Spencer, Rush Valley for a herd ground and other purposes," approved December 27, 1855. B. Young and
others.

"An Act granting unto James G. Browning, Erastus Bingham, sen., James Brown, sen., Thomas Dunn, and Lorin Farr, Ogden Valley for a herd ground," approved December 27, 1855. J. G. Browning
and others.

"An Act granting unto Phineas H. Young, Albert P. Rockwood, and Jesse Hobson, Fremont's Island, in Great Salt Lake, for herding and other purposes," approved December 27, 1855. P. H. Young
and others.

"An Act granting Benjamin F. Johnson and Isaac Morley the right of controlling the district of Santaquin, heretofore known as Summit Creek, with its natural facilities, establishing a herd ground, &c.," approved Dec. 31, 1855. B. F. Johnson
and I. Morley.

"An Act granting to Elias Smith, Joseph Cain, Samuel W. Richards, and those whom they may associate with them, the right of a herd ground in Juab County," approved January 2, 1856. Elias Smith &
others.

"An Act granting unto Thomas J. Thurston, Jedediah M. Grant and George W. Thurston, the south end of Weber Valley for a herd ground and other purposes," approved Jan. 2, 1856. Thos. J. Thurston
and others.

"An Act granting unto Franklin D. Richards, Silas Richards, Isaac Morley, James C. Snow, Anron Johnson, Lorenzo H. Hatch, and Leonard E. Harrington, a herd ground in Cedar and Juab Counties," approved Jan. 5, 1856. F. D. Richards
and others.

"An Act granting unto Orson Pratt, Ormus E. Bates, Edwin D. Woolley, Levi E. Riter, Vincent Shurtleff, and Enoch Reese, a portion of Lone Rock Valley for a herd ground and other purposes," approved Jan. 5, 1856. Orson Pratt &
others.

- E. T. Benson and others. "An Act granting unto Ezra T. Benson, William H. Hooper, Thomas S. Williams, Gilbert Webb, and David Candland, a herd ground in Lone Rock Valley," approved January 5, 1856.
- John Stoker & others. "An Act granting unto John Stoker, William Smith, John W. Hess, and Abiah Wardsworth, the north end of Weber Valley for a herd ground and other purposes," approved Jan. 8, 1856.
- J. G. Bigler & others. "An Act granting unto Jacob G. Bigler, Charles H. Bryan, George W. Bradley, Israel Hoyt and William Cazier, a herd ground in Juab Valley," approved Jan. 12, 1856.
- H. C. Kimball and J. D. Parker. "An Act granting a herd ground unto Heber C. Kimball and John D. Parker," approved Jan. 12, 1856.
- Lorenzo Snow and others. "An Act granting a herd ground to Lorenzo Snow, Franklin D. Richards, Phineas H. Young, Daniel Spencer, Eli H. Pierce, Charles W. Hubbard and Jonathan Browning," approved Jan. 12, 1856.
- W. W. Phelps and Hugh McKinney. "An Act granting unto William W. Phelps and Hugh McKinney a herd ground," approved Jan. 12, 1856.
- F. Kesler. "An Act granting unto Frederick Kesler a herd ground," approved Jan. 17, 1856.
- San Pete Coal Company. "An Act granting unto the Sanpete Coal Company a herd ground in Sanpete County," approved Jan. 17, 1856.
- H. C. Kimball and W. McBride. "An Act granting unto Heber C. Kimball and William McBride a herd ground," approved Jan. 3, 1857.
- John Stoker & others. "An Act to amend 'An act granting unto John Stoker, William Smith, John W. Hess and Abiah Wardsworth, the north end of Weber Valley for a herd ground and other purposes,'" approved Jan. 8, 1856; approved Jan. 5, 1857.
- Seth M. Blair and others. "An Act granting unto Seth M. Blair, John Brown, Preston Thomas, and Alonzo S. Blair, a herd ground in Rush Valley," approved Jan. 14, 1857.
- L. D. Young. "An Act granting unto Lorenzo D. Young a herd ground in Great Salt Lake County, Utah Territory," approved Jan. 14, 1857.
- R. C. Allen & others. "An Act granting unto Rufus C. Allen, Lorenzo W. Roundy, Amos Thornton and Richard Robinson, a herd ground in Iron and Washington Counties, Utah Territory," approved Jan. 14, 1857.
- Lewis Robison. "An Act granting unto Lewis Robison the right of certain lands for a herd ground, farming and other

purposes, in Green River County," approved Jan. 14, 1857.

"An Act granting unto Warren S. Snow, George Warren S. Snow, Jeremiah Hatch, Daniel B. Funk and John Low-Snow and others. ry, jun., a herd ground in San Pete County," approved Jan. 14, 1857.

"An Act amending 'An act granting unto William W. Phelps and Hugh McKinney a herd ground,'" ap- W. W. Phelps and Hugh McKinney. proved Jan. 12, 1856; approved Jan. 14, 1857.

"An Act granting a ranche and herd ground unto J. C. Snow & others. James C. Snow, James Adams, Charles Carrol, George W. Bean, Edson Barney, William A. Follet and Philander Colton," approved Jan. 15, 1857.

"An Act granting unto Orson Pratt, sen., Ezra T. Benson, John Rowberry, Thomas Atkin and Hezekiah O. Pratt, sen., & others. Mitchell, a herd ground in Tooele County," approved Jan. 8, 1858.

"An Act granting unto Brigham Young, sen., and B. Young, sen. others, Aivenpah Valley for a herd ground and other purposes," approved Jan. 8, 1858.

"An Act to amend 'An act granting unto Seth M. Blair, John Brown, Preston Thomas and Alonzo S. Blair, S. M. Blair and others. a herd ground in Rush Valley,'" approved Jan. 14, 1857; approved Jan. 14, 1858.

"An Act granting unto Lorenzo Snow, Jonathan C. Wright and Samuel Smith, Box Elder Valley, in Box Lorenzo Snow and others. Elder County, for a herd ground and other purposes," approved Jan. 18, 1858.

SEC. 2. All that part of section first, excepting the enacting clause of an act entitled "An Act granting a herd ground and making an appropriation for military For military purposes. purposes," approved Jan. 14, 1857, is hereby repealed.

SEC. 3. In case that any herd shall be found upon the range in the neighborhood or vicinity of any settlement in this Territory. encroaching or intruding upon Herds to be removed from vicinity of settlements. the range necessary for the animals of such settlement, and the owner of such herd shall refuse or neglect to remove the same, when required so to do by a selectman of the proper county, the county court of such County court may remove. county is hereby authorized, at the expense of the owner of such herd, to cause the same to be removed to some more distant locality, beyond the limits of the summer and winter range or hay grounds, necessary for the support of the stock of that or any other settlement.

Repealing
clause.

SEC. 4. All laws or parts of laws conflicting with the third section of this act are hereby repealed.

Approved January 20, 1860.

CHAPTER VIII.

Jan. 20, 1860. *An Act in relation to building a bridge across Jordan River.*

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah*, That whenever the county court of Great Salt Lake County, and the city council of Great Salt Lake City, each agrees to pay one-third of the expense of erecting a good substantial double-track bridge, such as shall be approved by the Territorial or State Road Commissioner, across the river Jordan on North Temple Street, Great Salt Lake City: the Territory of Utah hereby agrees to pay one-third part of the expense necessary for the erection of such bridge.

SEC. 2. The sum of one thousand five hundred dollars is hereby appropriated out of the Territorial Treasury, to enable the Territorial or State Road Commissioner to comply with the terms of this act, who shall proceed in the matter, and report his doings thereon as prescribed in section 4 of an ordinance approved January 15, 1850, which defines the duties of State Road Commissioners.

Approved January 20, 1860.

CHAPTER IX.

Jan. 20, 1860. *An Act repealing the charters of certain Road Companies, and for other purposes.*

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah*, That "An act incorporating Weber Canyon Road Company," approved Jan. 19th, 1855; also, "An act to amend 'An act to incorporate Weber Canyon Road Company, approved Jan. 6th, 1855;'" also, "An act to incorporate the Provo Canyon Road Company," approved January 19, 1855, are hereby repealed.

SEC. 2. That exclusive control of the road now made in Provo Canyon, is hereby vested in the County Court of Utah County, as Agent of the Territory: and it shall be the duty of said court to establish rates of toll on said road, and keep the same in repair from the proceeds thereof, and make a report to the Legislative Assembly during the first week of its session in each year; stating the receipts from toll, and the expenditures for repairs; and all other business transactions which pertain to said road.

Control of Provo Canyon Road vested in county court of Utah county.

SEC. 3. The sum of eighteen thousand nine hundred and ninety-seven dollars and sixty-one cents, is hereby appropriated out of any moneys in the Treasury, not otherwise appropriated, to reimburse Brigham Young and Feramorz Little for the means expended by them in constructing said road, to be paid in six equal annual payments.

Appropriation of \$18,997 61. Six annual payments.

SEC. 4. Said road shall hereafter be the property of the Territory: and all moneys received for toll as aforesaid, over and above the necessary expenditure for repairs, shall be paid quarter-yearly into the Territorial Treasury.

Tolls to be paid to Territorial Treasury.

Approved January 20, 1860.

CHAPTER X.

An Act repealing an act approved January 21, 1859, entitled "An act extending the time of a grant to Abiah Wardsworth and others of a bridge across Weber River," and granting to Benjamin Alvord the right of said bridge two years. Jan. 20, 1860.

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah,* That an act approved January 21, 1859, extending the time of a grant to Abiah Wardsworth and others of the bridge across Weber River to David B. Bybee and his associates, is hereby repealed.

Former act repealed.

SEC. 2. *Be it further enacted,* That the right to the bridge across the Weber River, built under the grant to Abiah Wardsworth and others, is hereby granted to Benjamin Alvord until the 1st January, 1862; said Alvord being hereby entitled to all the privileges, and holden for the faithful performance of every obligation

Grant renewed.

resting upon the original grantees, as contemplated in the aforesaid grant.

Approved January 20, 1860.

CHAPTER XI.

Jan. 18, 1860. *An Act discontinuing a portion of the Territorial or State Road in Davis County.*

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That so much of the Territorial or State Road as is situated between the points of its divergence from the County Road, near the Hot Spring, at the south line of Davis County, and its intersection with the County Road, about half a mile north of Kay's Creek, in said county, is hereby discontinued.

Approved January 18, 1860.

CHAPTER XII.

Jan. 20, 1860. *An Act providing for a Bridge across Weber River.*

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah,* That, whenever the county court of Weber County shall signify to the Territorial Road Commissioner, the readiness of that county to pay one-fourth the expense necessary to build a good and substantial single track bridge across Weber River, at or near where the Territorial Road now crosses the same, the Territorial Road Commissioner shall proceed to locate the bridge: and the Territory of Utah hereby declares its readiness to pay three-fourths of the expense necessary to build said bridge.

SEC. 2. The sum of two thousand dollars, or not to exceed three thousand dollars, is hereby appropriated out of the Territorial Treasury, and is made subject to the draft of the said Road Commissioner, who shall proceed and report as directed in section 4 of an ordinance approved June 15, 1850, which prescribes the duties of State Road Commissioners.

Approved January 20, 1860.

CHAPTER XIII.

An act in relation to Territorial Revenue.

Jan. 20, 1860.

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah*, That for the current year, and annually thereafter, until otherwise directed by legislative enactment, a territorial tax of one half of one per cent, be assessed and collected in accordance with "An act prescribing the manner of assessing and collecting Territorial and County Taxes," approved January 7, 1854; and the act amendatory thereof, approved January 21, 1859.

SEC. 2. All acts and parts of acts, as far as they conflict with this act, are hereby repealed.

Approved January 20, 1860.

CHAPTER XIV.

An Act establishing the southern and western boundary lines of Spanish Fork Incorporation.

Jan. 20, 1860:

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That the southern and western boundaries of Spanish Fork Incorporation be as follows:—commencing at the mouth of Water Kanyon, thence west thirty-seven degrees north to a stake known as "Station One," in J. C. Snow's survey of said line; thence west, three degrees south to the centre of Pond Town Sloughs; thence down said sloughs to Duck Creek; thence down said creek to Payson Incorporation line, at the south west corner of Spanish Fork survey of hay land; thence north to Utah Lake.

Approved January 20, 1860.

CHAPTER XV.

An Act releasing a certain portion of the Territory of Payson City incorporation from its municipal authority.

Jan. 20, 1860

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That the portion of Payson City Incorporation, embraced in the following limits,

Boundaries defined.

to wit:—commencing at the bridge where the road crosses the Pond Town Sloughs; thence southerly in a straight line to a spring known as "Goose Nest Spring;" thence easterly and northerly along the base of the mountain to the incorporation line between Spanish Fork and Payson, at the mouth of Water Canyon; thence west, thirty-seven degrees north, on said line to a stake styled in J. C. Snow's survey of the line between Spanish Fork and Payson, "Station One;" thence west, three degrees south, to the centre of Pond Town Sloughs; thence down the centre of said sloughs to the place of beginning; be and the same is hereby released from the municipal authority of Payson City: *Provided*, That nothing in this act shall be so construed as to invalidate any contract or release any obligation heretofore made or entered into, under the ordinances of said incorporation.

Provided.

Approved January 20, 1860.

CHAPTER XVI.

Jan. 20, 1860. *An Act changing the north boundary line of Ogden City Corporation.*

Boundaries defined.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That the north line of Ogden City Corporation is hereby changed from its present location, to the street running east, between ranges five and six north, Ogden survey; and that all that portion of Territory included within the present corporation of Ogden City lying north of said line, is hereby released from the municipal authority of Ogden City: *Provided*, That nothing in this act shall be so construed as to impair any contract or release any obligation heretofore existing under the ordinances of said city.

Approved January 20, 1860.

CHAPTER XVII.

Jan. 20, 1860.

General Appropriation Bill.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That there be appropriated out

of the moneys appropriated by Congress to defray the legislative expenses in the Territory of Utah, the following amounts to defray the expenses of the present Legislative Assembly, to wit:

For mileage of the members of the Council, two hundred and sixty-eight dollars and eighty cents, - - - - -	\$ 263 80	Mileage.
For mileage of the members of the House of Representatives, four hundred and seven- ty-three dollars and ten cents, - - -	473 10	Mileage.
For per diem of the members of the Council, one thousand five hundred and sixty dollars, -	1,560 00	Per diem.
For per diem of the members of the House of Representatives, two thousand eight hundred and eighty dollars, - - -	2,380 00	Per diem.
For per diem of the officers of the Council, eight hundred and forty dollars, - - -	840 00	Per diem.
For per diem of the officers of the House of Representatives, eight hundred and forty dollars, - - - - -	840 00	Per diem.
For public printing, by estimate, six thou- sand dollars, - - - - -	6,000 00	Public print- ing.
For incidental expenses, by estimate, six thousand dollars, - - - - -	6,000 00	Incidentals.
Total, eighteen thousand eight hundred and sixty-one dollars and ninety cents,		\$18,861 90
Approved January 20, 1860.		

CHAPER XVIII.

Territorial Appropriation Bill.

Jan. 20, 1860

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That there be paid, out of any money in the Territorial Treasury, not otherwise appropriated, the following amounts:—

To William C. Staines, for services as libra- rian for the years 1857, 1858 and 1859, \$	450 00	W. C. Staines.
To William C. Staines, as librarian for bind- ing books, &c. - - - - -	150 00	W. C. Staines.
To cover the amount drawn by the warden of the Penitentiary to defray the expenses of the territorial prisoners, and the repairs of the Penitentiary, up to this date, -	300 00	Penitentiary.

Penitentiary.	To Millen Attwood, for guarding at the Penitentiary, from December 11th, 1859, to January 16th, 1860,—35 days, at \$3 per day, - - - - -	105 00
Penitentiary.	To Samuel F. Attwood, for guarding at the Penitentiary from December 11th, 1859, to January 16th, 1860, 35 days, at \$3 per day, - - - - -	105 00
Penitentiary.	To the warden or proper officer of the Penitentiary, for penitentiary purposes for the ensuing year, or so much thereof as may be necessary, - - - - -	3,350 00
James Ferguson.	To James Ferguson, for services as adjutant general, office rent, stationery, lights, &c., for the year ending December 31st, 1859, - - - - -	300 00
William Clayton.	To William Clayton, for services as auditor of public accounts for the year ending Dec. 31, 1859,* - - - - -	200 00
William Clayton.	To William Clayton, auditor of public accounts, for stationery for the year 1859, - - - - -	15 25
William Clayton.	To William Clayton, auditor of public accounts, to purchase a new set of books for office, or so much thereof as may be necessary, - - - - -	30 00
D. O. Calder.	To D. O. Calder, for services as territorial treasurer for the year ending December 31, 1859, - - - - -	200 00
G. A. Smith.	To George A. Smith, for services as one of the special committee appointed by the Assembly last session to arrange and index laws, as per bill, - - - - -	237 00
H. Stout.	To Hosca Stout, for services as one of the special committee appointed by the Assembly last session to arrange and index laws, as per bill, - - - - -	279 00
S. M. Blair.	To Seth M. Blair, for services as one of the aforesaid special committee appointed by the Assembly last session to arrange and index laws, as per bill, - - - - -	159 00
Clerk hire.	To cover the amount drawn by the aforesaid committee to defray the expenses of clerk hire, fuel and stationery, as per bill, - - - - -	364 25
Rent, &c.	To the aforesaid special committee, to defray the expenses of rent, lights and stationery, as per bill, - - - - -	218 95

To George H. Bean, for amount overpaid into the territorial treasury in 1854, when acting as assessor and collector for Utah County, - - - - -	34 00	G. H. Bean.
To cover the amount drawn by Alexander Wilson, for services as prosecuting attorney during the year 1858-9, - - -	96 25	A. Wilson.
To Hockaday & Burr, expenses incurred in the execution of Thomas H. Ferguson, - - -	31 00	Hockaday & Burr.
To J. C. Little, expenses incurred in the execution of Thomas H. Ferguson, - - -	16 00	J. C. Little.
To A. P. Rockwood, expenses incurred in the execution of Thomas H. Ferguson, - - -	3 00	A. P. Rockwood.
To John Kay, territorial marshal, for services as per order of his Excellency the Governor in search of armed bands and exploring the mountains, &c., from the point of the mountain south to Goshen, in Utah County, from May 9th to May 16th, 1859,—7 days, at \$3 per day, - - -	21 00	John Kay.
To John Sharp, for services as deputy territorial marshal as aforesaid, from May 9th to May 16th, 1859,—7 days, at \$3 per day, - - - - -	21 00	John Sharp.
To John Kay, territorial marshal for services as aforesaid of span of horses, carriage and teamster, feed, &c., from May 9th to May 16th, 1859,—7 days, at \$5 per day, - - - - -	35 00	John Kay.
To Elias Smith, for printing blanks for school purposes, - - - - -	30 00	E. Smith.
To Arthur Stayner, for services as clerk to the engrossing committee,—4 days, at \$3 per day, - - - - -	12 00	A. Stayner.
To Patrick Lynch, for three days' services as clerk after the close of the session 1858-9, at \$3 per day - - - - -	9 00	P. Lynch.
To Thomas D. Brown, for services rendered as territorial road commissioner in 1858-9, - - - - -	25 00	T. D. Brown.
To the Deseret Agricultural and Manufacturing Society, - - - - -	500 00	D. A. & M. S.
To Brigham Young and Feramor Little, one sixth part of the appropriation in payment for the making of the road in Provo Canyon, - - - - -	3,166 27	B. Young & F. Little.

County Road in Washington co.	To improving that portion of the County Road in Washington County on Ash Creek, known as Rocky Ridge; said sum to be expended under the direction of the county court of said county, - - - - -	225 00
Road in Salt Creek Canyon.	To Gardner Snow and Andrew Love, probate judges of San Pete and Juab Counties, to be expended upon the road in Salt Creek Canyon, - - - - -	500 00
R. T. Burton.	To Robert T. Burton, sheriff of Great Salt Lake County, for the benefit of William H. Branch and S. F. Attwood, balance due for boarding and guarding prisoners from Sept. 2, 1858, to Jan. 13th, 1859, - - -	151 35
T. Bullock.	To Thomas Bullock, for eight days' extra service at the session 1858-9, not paid for by the Secretary of the Territory, at \$3 per day, - - - - -	24 00
Incidental expenses.	For territorial incidental expenses, to be expended under the supervision of the auditor of public accounts, - - - - -	150 00
G. S. L. County.	For the relief of Great Salt Lake County, for guarding, boarding, &c., of prisoners committed by the U. S. District Court, - - -	1,000 00
Total, - - - - -		\$12,519 48
Approved Jan. 20, 1860.		

CHAPTER XIX.

Jan. 20, 1860.

Officers elected by the Legislature.

THIS certifies that the following persons were elected to the offices opposite their respective names, by joint vote of the Legislative Assembly of Utah Territory, on Wednesday, January 18, 1860:—

Orson Pratt, sen., Chancellor of the University.

Orson Hyde, T. B. H. Stenhouse, Joseph A. Young, Robert L. Campbell, Gilbert Clements, William Edgington, Claudius V. Spencer, Isaac Bowman, Orson Pratt, jr., George J. Taylor, Samuel W. Richards and Isaac Groo, Regents of the University.

Thomas W. Ellerbeck, Treasurer of the University.

David O. Calder, Territorial Treasurer.

William Clayton, Auditor of Public Accounts.

Theodore McKean, Territorial Road Commissioner.

John Kay, Territorial Marshal.

Seth M. Blair, Attorney General.

Jesse W. Smith, District Attorney for the first Judicial District.

William H. Broomfield, District Attorney for the second Judicial District.

Jesse W. Fox, Territorial Surveyor General.

John Lyon, sen., Librarian.

William Clayton, Recorder of Marks and Brands.

Frederick Kesler, Feramorz Little, Ebenezer R. Young, Directors of the Penitentiary.

Alexander McRae, Warden of the Penitentiary.

Nathan Davis, Sealer of Weights and Measures.

James R. McCullough, Probate Judge for Washington County.

George Spencer, Notary Public for Washington County.

James Lewis, Probate Judge for Iron County.

James H. Martineau, Notary Public for Iron County.

Daniel M. Thomas, Probate Judge for Beaver County.

Philo T. Farnsworth, Notary Public for Beaver County.

John A. Ray, Probate Judge for Millard County.

Joseph V. Robinson, Notary Public for Millard County.

Gardiner Snow, Probate Judge for San Pete County.

John Eagar, Notary Public for San Pete County.

Andrew Love, Probate Judge for Juab County.

Madison D. Hambleton, Notary Public for Juab County.

Zerubbabel Snow, Probate Judge for Cedar County.

Thomas B. Irwin, Notary Public for Cedar County.

Silas Smith, Probate Judge for Utah County.

Lucius N. Scovil, Notary Public for Utah County.

Elias Smith, Probate Judge for Great Salt Lake County.

John T. Caine, Notary Public for Great Salt Lake County.

William W. Phelps, Notary Public for Great Salt Lake County.

Thomas S. Smith, Probate Judge for Davis County.

James Leithead, Notary Public for Davis County.

Aaron F. Farr, Probate Judge for Weber County.
 William Critchlow, Notary Public for Weber County.
 Samuel Smith, Probate Judge for Box Elder County.
 John Burt, Notary Public for Box Elder County.
 Peter Maughan, Probate Judge for Cache County.
 James G. Willie, Notary Public for Cache County.
 William A. Carter, Probate Judge and Notary Public
 for Green River County.
 Lysander Gee, Notary Public for Tooele County.
 Luke Johnson, Probate Judge for Shambip County.
 Samuel Bennion, Notary Public for Shambip County.
 John S. Childs, Probate Judge for Carson County.
 William C. Campbell, Notary Public for Carson
 County.

CHAPTER XX.

Jan. 20, 1860.

Resolution to print the Journals of the ninth Session.

201 copies.

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah, That the Public Printer for this Legislative Assembly, is hereby authorized and required to print and publish, in pamphlet form, five hundred copies of the Journals of this the ninth session of the Legislative Assembly: said journals to include the Governor's Message and Proclamations, and the Territorial Auditor's and Treasurer's Reports.

Approved December 30, 1859.

CHAPTER XXI.

Jan. 20, 1860.

Resolution to publish the laws and distribute the laws and journals of the present session of the Legislative Assembly.

1600 copies.

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah, That the Public Printer is authorized and required to publish, in pamphlet form, one thousand copies of the Laws of the present session.

Distribution

That there be distributed under the direction of the Governor, to the President of the United States, and each member of his cabinet, to the President of the

Senate, and Speaker of the House of Representatives, to the Governor of each State and Territory of the United States, one copy each; to each member and officer of the Legislative Assembly, two copies each; to each civil officer of the Territory, including federal officers, and the mayor, aldermen, recorder and marshal of each incorporated city; to the Chancellor and Regents of the University, each one copy of the laws and journals of the present session; to the Governor, five copies of each; to every public library in the Territory, two copies of each; and to the commander of the Nauvoo Legion, and the division brigade, regimental and battalion commanders, and their respective staff officers, one copy each of the laws.

Approved January 20, 1860.

CHAPTER XXII.

A Resolution to convene the Legislative Assembly of Jan. 20, 1860.
1860-1.

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah, That the members of the Legislative Assembly of 1860-61, shall convene and organize in the Social Hall, in Great Salt Lake City, on In G. S. L. City.
the second Monday of December, 1860.

Approved January 20, 1860.

CHAPTER XXIII.

Memorial for daily mail service from Omaha, via Great Salt Lake City, to San Francisco. Jan. 20, 1860.

TO THE HONORABLE THE SENATE AND HOUSE
OF REPRESENTATIVES OF THE UNITED STATES
IN CONGRESS ASSEMBLED.

Your Memorialists, the Governor and Legislative Assembly of the Territory of Utah, beg leave respectfully to represent, that the people of this Territory are suffering great inconvenience from the deficiency of mail facilities.

Notwithstanding the route leading through our Territory is the most central, direct, and naturally the most

important route across the continent, there is only semi-monthly service thereon, which is often interrupted by causes which might easily be overcome.

The increase of population and the growing importance of the various settlements along the route, call loudly for immediate relief.

Therefore, your memorialists respectfully pray for the establishment of daily mail service from Omaha, N. T., or some other eligible point on the Missouri River, to San Francisco, California, by way of Great Salt Lake City.

Your early attention and favorable action upon this important subject, fraught as it is with so many interests to the welfare of the Republic, are respectfully desired; and your memorialists, as in duty bound, will ever pray.

Approved January 20, 1860.

CHAPTER XXIV.

Jan. 20, 1860. *Memorial to the Honorable Joseph Holt, Postmaster-General of the United States.*

Your Memorialists, the Governor and Legislative Assembly of the Territory of Utah, beg leave respectfully to represent, that the southern counties of this Territory are deprived of the benefits arising from mail communication, in consequence of the failure of the Department to place service on the route between Fillmore and Cedar City, a distance of one hundred and twenty miles; leaving the route from Cedar to Santa Clara, on which service has been placed without connection with any other mail route, which renders the service useless, except for mere neighborhood communication; believing that this interruption of mail communication between northern and southern Utah, arises from a want of proper information being furnished the Department;

We, therefore, beg leave respectfully to call your attention to this subject, which is of great importance to the inhabitants of the southern counties; and would recommend that semi-weekly service be put upon the

route from Fillmore to Santa Clara. And your memorialists, as in duty bound, will ever pray.

Approved January 20, 1860.

CHAPTER XXV.

A Memorial to Congress for a donation of land to settlers. Jan. 20, 1860

TO THE HONORABLE THE SENATE AND HOUSE OF
REPRESENTATIVES OF THE UNITED STATES:

Your memorialists, the Governor and Legislative Assembly of the Territory of Utah, beg leave respectfully to represent, that the citizens of this Territory have been subjected to many difficulties, privations, exposures, and dangers, in consequence of the sterile nature of the soil; the dry and changeable character of the climate; the destruction of their crops by insects, frosts, and extreme drouth; the great difficulty of procuring timber from the tops of the mountains and transporting it to the low lands, which alone can be irrigated or cultivated; their exposure to Indian hostilities, and the constant losses arising from Indian robberies and thefts, and the great distance from market; all these things have combined to render the early settlers in this mountain and desert region, naturally entitled to that encouragement and aid which have so liberally and justly been extended by the federal Government to the inhabitants of Territories much more favored by nature than Utah.

Therefore, your memorialists respectfully pray your honorable body to grant unto the actual settlers in this Territory, such donations of land as were granted to the settlers of Oregon Territory, by the provisions of an act making donations of land to settlers in that Territory, approved September 27, 1850.

Your favorable action upon this subject will make the families of the hardy pioneers of the desert rejoice in the comfort of a home, and your petitioners will ever pray.

Approved January 20, 1860.

CHAPTER XXVI.

Joint Resolution.

Be it resolved by the Council and House of Representatives of Utah Territory, That the thanks of the Assembly be tendered to His Excellency the Governor, for his courteous bearing towards the Legislature, and for the general interest manifested by him for the welfare and peace of the Territory.



of James Church of Latter-day Saints
41 E. South Temple St.

SALT LAKE CITY, UTAH